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July 29, 2008

**VIA ECFS & COURIER**

The Honorable Kevin J. Martin  
Federal Communications Commission  
Room 8-B201  
445 12th Street, S.W.  
Washington, DC 20554

Re: *The United States Department of Health and Human Services Substance Abuse and Mental Health Services Administration Petition for Permanent Reassignment of Three Toll Free Suicide Prevention Hotline Numbers, CC Docket No. 07-271, Toll Free Service Access Codes, CC Docket No. 95-155; KBHC's Application for Review, CC Docket No. 95-155.*

Dear Chairman Martin:

The Kristin Brooks Hope Center ("KBHC") writes in response to the letter filed on behalf of the United States Department of Health and Human Services' Substance Abuse and Mental Health Services Administration ("SAMHSA") on June 25, 2008 (the "June 25 Letter") regarding its request to permanently transfer three suicide prevention hotlines from KBHC to SAMHSA.<sup>1</sup> In SAMHSA's letter, SAMHSA makes several statements which could mislead the Commission, as well as several insinuations meant to cast doubt on the statements that KBHC has made in this docket. However, the uncontradicted record before the Commission establishes (1) that KBHC is financially sound and (2) a qualified steward for the suicide prevention toll free numbers it founded and operated for more than eight years prior to the current dispute. Further evidence of these facts has been added to the record in this docket with today's filing of the sworn Affidavit of H. Reese Butler II, wherein Mr. Butler provides uncontested evidence of KBHC's resolution of all outstanding financial disputes, its sound financial standing, and its

<sup>1</sup> Letter from Rina Hakimian, Senior Attorney, SAMHSA to Chairman Kevin J. Martin, Federal Communications Commission (June 25, 2008) ("June 25 Letter"). The disputed toll free numbers are 1-800-SUICIDE, 1-888-SUICIDE, and 1-877-SUICIDA.

prepaid agreement to serve the lines for the coming year. (The actual contracts involved were not provided due to their proprietary and confidential nature.)

SAMHSA's reference to "KBHC's pattern and history of financial instability" is without foundation in this docket.<sup>2</sup> As KBHC pointed out in its Application for Review, the record in this proceeding provides no evidentiary basis for a finding of financial vulnerability.<sup>3</sup> Although KBHC has engaged in prior disputes with its carriers (largely as a result of SAMHSA's decision to cease funding the hotlines it now seeks to control), KBHC has at all times ensured that the numbers remained operational. Furthermore, as KBHC made known in its earlier filings, KBHC has settled its disputes with both Patriot Communications and AT&T. No party has a significant outstanding claim against KBHC.

SAMHSA's reports of its costs serve as an indictment of SAMHSA's own wastefulness rather than a meaningful argument against the return of the numbers to KBHC. Eric Broderick, Deputy Administrator for SAMHSA, states in his declaration of June 25, 2008 that "telephone services to support [a] call volume of more than 20,000 calls monthly costs an average of \$28,320 monthly."<sup>4</sup> Assuming that the average length of a call to the suicide hotlines is eight minutes, that amounts to more than \$0.17 per minute.<sup>5</sup> In contrast, KBHC, in partnership with Option Line, has been able to obtain a rate of \$0.057 per minute, resulting in a monthly cost of approximately \$9,100. That a private organization run through fundraising efforts and charitable donations should be more efficient than SAMHSA should hardly shock the Commission.

SAMHSA further muddies the waters by attempting to conflate its support of the crisis centers to which the suicide prevention hotlines route callers with the operation of the hotlines themselves. KBHC has never paid crisis centers to take calls to the numbers it routes. Rather, the crisis centers are paid for by the communities in which they operate to take the calls from members of that community. The suicide prevention hotlines function as a single number that can be used to reach local crisis centers through the use of geo-routing software. While SAMHSA's support of the crisis centers themselves is laudable, it is unrelated to the operation of the suicide prevention hotlines themselves.

As KBHC has stated, its finances are strong. During its most recent fundraising event, KBHC raised more than \$30,000 over five days in partnership with PostSecret.com and To Write Love on Her Arms, TWLOHA.com. In addition, KBHC has been the recipient of repeat grants from BMS, AstraZeneca, Pfizer, and Forrest Labs. Over the next few months,

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<sup>2</sup> *Id.*

<sup>3</sup> KBHC Application for Review, *Toll Free Service Access Codes*, CC Docket No. 95-155 (filed Feb. 21, 2006).

<sup>4</sup> Declaration of Eric Broderick at 2 (attached to the June 25 Letter).

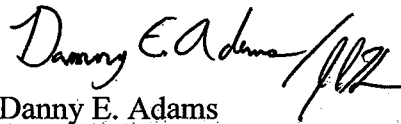
<sup>5</sup> We note that this is more than 2.5 times the amount that AT&T is charging for its toll free service. *See* [http://www.business.att.com/enterprise/Family/eb\\_contact\\_centers/eb\\_toll\\_free/](http://www.business.att.com/enterprise/Family/eb_contact_centers/eb_toll_free/).

KBHC will be launching its 2008 Hope In Action Tour. KBHC's previous tours have raised an average of \$100,000 per year since KBHC first began them in 2001. Finally, KBHC has launched its 99 Club Fund Raising program, and already has numerous volunteers and civic organizations pledged to contribute almost \$1 million per year over the next five years. KBHC will be able to operate the numbers without interruption long into the future.

Prior to the current dispute, KBHC operated the suicide prevention hotlines continuously and without fail for more than eight years. As the uncontradicted record in this docket now demonstrates (including the Affidavit of H. Reese Butler II submitted today), KBHC is in a strong financial position and is ready, willing, and able to resume the operation of its numbers. The legal basis upon which the Commission originally ordered the temporary reassignment of the numbers to SAMHSA is now undeniably eliminated. SAMHSA has presented no other record evidence in support of making their request permanent. Thus, on the record compiled in this docket the only conclusion available is to return the numbers to KBHC.

Please contact the undersigned should you have any questions or concerns regarding KBHC or its ability to operate the toll free suicide hotlines.

Sincerely,



Danny E. Adams

*Counsel for the Kristin Brooks Hope Center*

cc: Michael J. Copps, Commissioner  
Jonathan S. Adelstein, Commissioner  
Deborah Taylor Tate, Commissioner  
Robert M. McDowell, Commissioner  
Dana Shaffer, Wireline Competition Bureau Chief

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
	)	
SAMHSA Petition for Permanent Reassignment	)	CC Docket No. 07-271
of Three Toll Free Suicide Prevention Hotline	)	
Numbers	)	
	)	
Toll Free Service Access Codes;	)	CC Docket No. 95-155
KBHC's Application For Review	)	
	)	

**DECLARATION OF H. REESE BUTLER II**

1. My name is H. Reese Butler II and I am the President & Founder of the Kristin Brooks Hope Center ("KBHC"). As the President, I oversee the day-to-day operations of KBHC with the oversight of KBHC's Board of Directors. I founded KBHC as a means of paying tribute to my wife following my wife's suicide in 1998 after a battle with postpartum depression. Since its founding, KBHC has grown in size and scope, and now operates 11 nationwide toll free telephone numbers that help callers in crisis reach critical counseling services. These include lines for the general public, such as 800-442-HOPE, as well as specialized lines for specific populations, such as military veterans, new mothers, and others. Prior to the recent reassignment of 1-800-SUICIDE, 1-888-SUICIDE, and 1-888-SUICIDA ("the suicide prevention hotlines"), KBHC operated those numbers for more than seven years. During that time over 2 million calls were received and the lines were credited with saving thousands of lives.
2. I make this Declaration based on personal knowledge, unless otherwise indicated.

3. I have read the attached letter from Danny E. Adams, Counsel for the Kristin Brooks Hope Center, to Kevin J. Martin, Chairman of the Federal Communications Commission, and can attest to the accuracy of the facts stated therein.
4. Specifically, I can attest to the facts regarding the costs of operating the suicide prevention hotlines and KBHC's own financial situation. Based on my experience operating the disputed numbers and more than ten other toll free numbers as the President of KBHC for the last seven years, SAMHSA's cost estimates for the telecommunications services necessary to support the volume of calls to the suicide prevention hotlines are inflated and misleading. In fact, KBHC can obtain these services for an average of \$10,000 per month, which KBHC is able to pay indefinitely.

#### **Synopsis of the Option-Line Agreement**

5. KBHC has already retained telecommunications services capable of supporting the suicide prevention hotlines. On March 20, 2008, KBHC entered into an agreement with Heartbeat International, Inc., Care Net, and Option Line for the purposes of establishing a formal cooperative relationship to provide telecommunications services to support the suicide prevention hotlines. As part of the agreement, Option Line has agreed to assume responsibility for obtaining the telecommunications services that underlie the suicide prevention hotlines. Services provided by Option Line include routing, reporting, real-time call tracing, and access to Option Line's call center management tools, which include logging tools to determine call volume, caller demographics, and referrals.

6. Option Line has negotiated a rate that will result in KBHC being charged a rate of \$0.057 per minute for all calls to the suicide prevention hotlines. At the current rate of approximately 20,000 calls per month and an average call length of eight minutes, the average monthly bill is expected to be approximately \$9,100.

#### **SAMHSA's Estimation of Its Expenses Demonstrate Its Inefficiency**

7. Eric Broderick, Deputy Administrator for SAMHSA, states in his declaration of June 25, 2008 that "telephone services to support [a] call volume of more than 20,000 calls monthly costs an average of \$28,320 monthly." Assuming that the average length of a call to the suicide hotlines is eight minutes, that amounts to more than \$0.17 per minute. Based on my more than eight years of experience operating these and other hotlines, there are numerous carriers who offer rates significantly lower than that obtained by SAMHSA. Perhaps SAMHSA's exorbitant cost structure is one of the reasons that President Bush and his administration have stressed private charities over government run programs wherever possible. Return of the numbers to KBHC would further that policy goal.
8. SAMHSA also conflates its support of the crisis centers to which the suicide prevention hotlines route callers with the operation of the hotlines itself. KBHC has never paid crisis centers to take calls to the numbers it routes. Rather, the crisis centers are paid for by the communities in which they operate to take the calls from members of that community. The suicide prevention hotlines function as a single number that can be used to reach local crisis centers through the use of geo-routing software. While SAMHSA's support of the crisis centers themselves

is laudable, it is unrelated to the operation of the suicide prevention hotlines themselves. The hotlines perform merely a routing and transmission function.

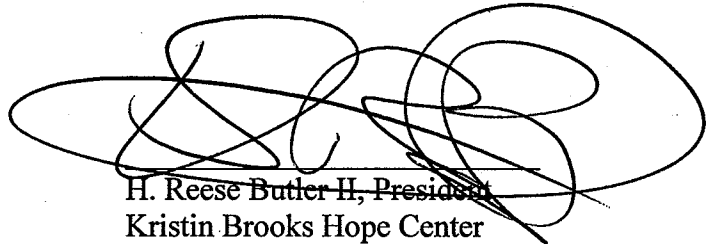
#### **KBHC's Finances And Fund Raising Efforts**

9. KBHC no longer has any significant debts or liabilities. KBHC recently entered into a final settlement agreement with AT&T that resolves all claims between the two companies; the final payment under that settlement will be made on August 16, 2008. Furthermore, KBHC resolved all of its payment disputes with Patriot Communications in January 2007. As such, KBHC's operation of the suicide prevention hotlines will be unencumbered by any debts previously owed by KBHC.
10. KBHC's strong fundraising efforts ensure that KBHC will be able to operate the suicide prevention hotlines for the foreseeable future. During its most recent fundraising event, KBHC raised for its own use more than \$30,000 in just five days in partnership with other suicide prevention organizations PostSecret.com, and To Write Love on Her Arms, TWLOHA.com. In addition, KBHC has been the recipient of repeat grants from BMS, AstraZeneca, Pfizer, and Forrest Labs. Further, in the next few months KBHC will be launching the 2008 Hope In Action Tour. KBHC's previous tours have raised an average of \$100,000 a year for KBHC since it first began them in 2001. Finally, KBHC has launched its 99 Club Fund Raising program, and already has over 200 volunteers and civic organizations pledged to contribute more than \$990,000 over the next year. Free of past debts and funded by the fruits of these efforts, I can assure the FCC that

KBHC will be able to operate all its toll-free numbers, including the three temporarily operated by SAMHSA, without interruption long into the future.

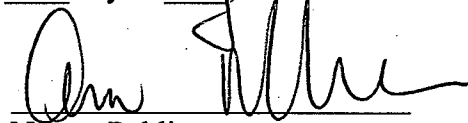
I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and information and belief.

July 29, 2008



H. Reese Butler II, President  
Kristin Brooks Hope Center

SUBSCRIBED and SWORN TO before me on this 29<sup>th</sup> day of July, 2008



Notary Public

My Commission Expires **ANN MALCOLM**  
**Notary Public of District of Columbia**  
DC01/HIM0J/345350.10 **My Commission Expires March 31, 2011**